IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.720 OF 2005

IN

SUIT NO.2206 OF 1997

Shailesh H.Bajaj & Anr. ...Plaintiff

Versus

Kotak Mahindra Finance Ltd. & Anr. ...Defendants

.....

Mr.Ravi Goenka i/b Goenkar Law Associates for Plaintiff.

Mr.J.P.Sen with Mr.Amit Sethi i/b M/s.Wadia Ghandy & Co. for Defendant No.1.

Ms.Alpana Ghone i/b Shaunak Satpute for Defendant No.2.

.....

**CORAM: A.M.KHANWILKAR, J.**

**AUGUST 9, 2005.**

**P.C.**

1. Heard Counsel for the parties. This Chamber Summons can be made absolute, leaving open the question of limitation and regarding plea of omission to sue under provisions of Order II Rule 2

of the Code of Civil Procedure.

2. Those questions will have to be decided at the appropriate stage during the course of trial.

3. Chamber Summons made absolute on the above terms, in terms of prayer clause (a). No order as to costs. Amendment be carried out within four weeks from today.

A.M.KHANWILKAR, J.